

REMARKS

The Office Action rejects claims 129, 140 and 141 under 35 U.S.C. 103(a) based on U.S. Patent No. 6,711,548 to Rosenblatt. This rejection is respectfully traversed.


The Office Action indicates that the 1.132 Declaration filed on December 21, 2005 indicate that conception of the invention took place around September 14, 1999, but that Applicant has not provided specific evidence of diligence. Attached hereto are two declarations filed under 37 CFR 1.131 demonstrating diligence in reducing the invention to practice from a time before December 29, 1999 until the filing of the application on March 21, 2000. As such, it is submitted that Applicant has previously demonstrated conception of the invention before the effective date of Rosenblatt, and has now demonstrated diligence from that effective date until a reduction to practice of the invention on March 21, 2000. Accordingly, Rosenblatt is not prior art against the application and the rejection should be withdrawn.

The Commissioner is hereby authorized to charge any fees associated with this filing to Kenyon & Kenyon deposit account no. 11-0600.

The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any aspect of the application.

Respectfully submitted,

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